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HONOURABLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO :2973 of 2006

DATED:16-02-2006

Between:

P.Narasimha Reddy

..... PETITIONER

AND

1 The Secretary, Regional Transport Authority,

West Zone, Hyderabad, and another

.....RESPONDENTS

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ORAL ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for respondents.

This writ petition has been filed questioning the seizure of the petitioner's vehicle (Road Roller) bearing No.AP 13 A 2337 as illegal, arbitrary and unjust,

and for a consequential direction to the first respondent herein to release the said vehicle to the petitioner.

The vehicle check report dated 06-01-2006, which was prepared at the time of seizure, indicates that the vehicle was being plying without registration and without paying the required motor vehicle tax. However, with regard to the registration is concerned the petitioner has filed a copy of the certificate of registration. So far as the other violations are concerned, it is a matter for enquiry by the competent authority. However, as the vehicle will be subjected to the vagaries of nature, the same can be released pending enquiry by the competent authority.

Having regard to the nature of allegations, this writ petition is disposed of directing the respondents to release the seized vehicle (Road Roller) bearing No.AP 13 A 2337 to the petitioner on deposit of an amount of Rs.5,000/- (Rupees five thousand only) by the petitioner with the first respondent. The payment of the amount of Rs.10,000/- pursuant to this order shall be subject to the outcome of the enquiry and passing of the final order by the competent authority. No order as to costs.

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16th February, 2006

Note:

Furnish C.C.by tomorrow.

B/o.

SKM